

REMARKS

In the Office Action the Examiner noted that claims 1-8, 10-19 and 21-26 are pending in the application and the Examiner rejected all claims as unpatentable over the prior art. By this Amendment various claims have been amended. Thus, claims 1-8, 10-19 and 21-26 remain pending in the applications. The Examiner's rejection is traversed below.

Rejection of Claims 1-8, 10-19 And 21-26 Under 35 U.S.C. § 103

In item 4 on pages 2-5 of the Office Action, the Examiner rejected claims 1-8, 10-19 and 21-26 under 35 U.S.C. § 103(a) as being unpatentable over Microsoft Excel 97 ("Excel") in view of U.S. Patent 5,960,437 to Krawchuk ("Krawchuk"). The rejection is traversed below.

In the prior response, referring to claim 1, the applicants urged that the teaching of Krawchuk, col. 56, line 11, "to allow random selection within the file" is directed to random (direct) access and not "extracting data automatically at random," as set forth in prior claim 1 of the subject application. More specifically applicants urged that, if data were extracted at random in Krawchuk, it would be impossible to extract desired data from the database, rendering the method and system of Krawchuk inoperable. Applicants also urged that the term "at random" means "randomly" or "disorderly." The Examiner, however, still appears to believe that Krawchuk's teaching of "random selection within a file" (col. 56, lines 7-15) also teaches "extracting data automatically at random," as indicated by the Examiner's comments in item 5 on page 5 of the current Office Action.

The Present Claimed Invention Patentably Distinguishes Over The Prior Art

As set forth on page 5 of the Office Action, the Examiner continues to rely upon Krawchuk as disclosing extracting data automatically at random from a database. The key portion of Krawchuk relied on by the Examiner for this teaching is at column 56, lines 7-15 which recite:

"A large relative file can be simulated by using several small relative files. Into these smaller files the Bricks are placed. As with the single vast relative file, one record holds one Brick. The Bricks are arranged sequentially by Brick number to allow random selection within the file. The number of Bricks per file is a function

of the device where the file is stored. For optimal capacity and speed of access, the files are sized to be the largest possible size for their physical device or operating system."

Applicants submit that the Examiner continues to misinterpret the meaning of the phrase "to allow random selection within the file" set forth in col. 56, line 11 of Krawchuk. It is submitted that Krawchuk's use of the wording "random selection" (col. 56, line 11) refers to the ability to retrieve Bricks non-sequentially, based on the Brick numbers and an index file correlating Brick numbers to the physical files where the Bricks reside. See Krawchuk, col. 56, lines 17-20. Therefore it is submitted that "random selection" of data within a file is used to describe the selection of Bricks in non-sequential order, rather than the random sampling of data retrieved from the database in the present claimed invention. Thus, the desired data in Krawchuk is retrieved and, accordingly, extracted in a non-sequential fashion based on Brick number.

It is submitted that Krawchuk fails to teach random sampling of data stored in a database. Further, if Krawchuk taught random data extraction, it would be impossible to extract user specified data from the database. Thus, under the Examiner's current interpretation of Krawchuk, the method and system of Krawchuk would be inoperable.

Although it is believed that the prior form of the claims adequately distinguished over the prior art, applicants have amended the independent claims in an effort to more clearly recite the features of the present invention. For example, claim 1 was amended to recite "random extraction means for automatically extracting a random sampling of data from a data base." It is hoped that this new form of the claims clarifies for the Examiner the differences between the claimed invention and the prior art.

Claim 1

Referring to claim 1, it is submitted that the prior art does not teach or suggest:

"random extraction means for automatically extracting a random sampling of data from a database;

cross tabulation display means for displaying according to summing up conditions to set a range to be displayed a cross

tabulation in which the random sampling of data extracted from the database by the random extraction means is cross summed up;

cell specifying means for specifying at least one cell among a number of cells constituting said cross tabulation; and

graph display means for displaying the random sampling of data extracted from the database as a graph within the range of the cell specified by said cell specifying means.”

Therefore, it is submitted that claim 1 patentably distinguishes over the prior art.

Claims 2-8 and 10 depend, directly or indirectly, from claim 1 and include all of the features of that claim plus additional features which are not taught or suggested by the prior art. Therefore, it is submitted that these claims patentably distinguish over the prior art.

Claim 12

Referring to claim 12, it is submitted that the prior art does not teach or suggest:

a random extraction operation extracting a random sampling of data automatically from a database;

a cross tabulation display operation displaying according to summing up conditions to set a range to be displayed a cross tabulation in which the random sampling of data extracted from the database by the random extraction operation is cross-summed up;

a cell specifying operation specifying at least one cell among a number of cells constituting said cross tabulation; and

a graph display operation displaying the random sampling of data extracted from the database as a graph within the range of the

Therefore, it is submitted that claim 12 patentably distinguishes over the prior art.

Claims 13-19 and 21-22 depend, directly or indirectly, from claim 12 and include all of the features of that claim plus additional features which are not taught or suggested by the prior art. Therefore, it is submitted that these claims patentably distinguish over the prior art.

Claim 23

Referring to claim 23, it is submitted that the prior art does not teach or suggest:

“a random extraction device automatically extracting a random sampling of data from a database;

a cross tabulation display device displaying according to summing up conditions to set a range to be displayed a cross tabulation in which the random sampling of data automatically extracted from the database is cross summed up;

a cell specifying device specifying at least one cell among a number of cells constituting said cross tabulation; and

a graph display device displaying the random sampling of data extracted from the database as a graph within the range of the cell specified by said cell specifying means.”

Therefore, it is submitted that claim 23 patentably distinguishes over the prior art.

Claims 24-26 depend, directly or indirectly from claim 23 and include all of the features of that claim plus additional features which are not taught by the prior art. Therefore, it is submitted that claims 24-26 patentably distinguish over the prior art.

Entry of the Amendment

In view of the fact that the claim amendments being submitted herewith merely clarify the features of the present invention, it is submitted that such claim amendments do not require any additional consideration or further search. Therefore, it is respectfully requested that these claim amendments be entered.

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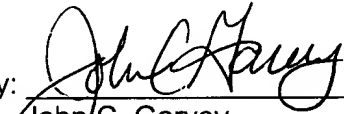
Summary

It is submitted that none of the references, either taken alone or in combination, teach the present claimed invention. Thus, claims 1-8, 10-19 and 21-26 are deemed to be in a condition suitable for allowance. Reconsideration of the claims and an early notice of allowance are earnestly solicited.

Respectfully submitted,

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